

the Supplemental Office Action would contain an explanation of the PTO's reasons for maintaining its current rejection, in derogation of agreements reached during interviews in March, 2007, at which the PTO agreed that the current rejection would be withdrawn in view of the amendments to the claims to specify that the CHE "distributed television signals". It was further agreed that any rejections in the Supplemental Office Action would be made non-final.

A statement summarizing these interviews in more detail follows.

OCT 17 2007

STATEMENT SUMMARIZING INTERVIEW

This summarizes a series of telephone interviews initiated by the undersigned, and conducted over a two-and-one-half week period commencing on September 24, 2007 and ending October 12, 2007.

Initial discussions were conducted with the Examiner's supervisor, Mr. Glenton Burgess. It was explained that pursuant to interviews conducted in March, 2007, with Examiner Nash, the PTO had agreed that the Williams patent, applied in the § 103 rejection of the Office Action dated November 30, 2006, did not show direct connection between an STB and a CHE, but rather showed connection between an STB and a PC. The interview in March was conducted over two separate days, so as to afford Examiner Nash with an opportunity to obtain the agreement of her Supervisor, since the Examiner herself did not have negotiation authority. At that time, Examiner Nash confirmed that she had obtained such an agreement, and further had obtained agreement to withdraw her rejection if the claims were amended to specify that the claimed CHE "distributed television signals", since that would distinguish from Williams' PC which did not.

It was further explained to Mr. Burgess that the current Office Action does not mention the agreement reached during the March interviews, but rather rejects the claims for identical reasons including the same reliance on the same portions of the Williams patent as in prior Office Actions. The only differences in the current Office Action, as compared to the prior Office Action dated November 30, 2006, were changes to reflect quotations of the current claim language. Identical rejections were entered, and the

portions of the art relied on in the rejection were identical, with word-for-word the same citations to column, line and figure.

Mr. Burgess agreed that the Applicants were entitled to at least an explanation as to why Examiner Nash had changed her mind from agreements reached at the interview. He promised to put Examiner Nash directly in contact with the undersigned, to discuss these issues.

In subsequent conversations with Examiner Nash, the points made to Mr. Burgess were repeated. The Examiner stated that although she had been able to obtain the agreement of a Supervisory Examiner back in March, in preparation of her current Office Action, she had not been able to obtain this agreement again. It was for this reason that she maintained her rejections identically. She stated that she was willing to issue a Supplemental Office Action which explains why the PTO had decided to renege on the agreement reached in March. She agreed that any such Supplemental Office Action would enter a rejection that was non-final.

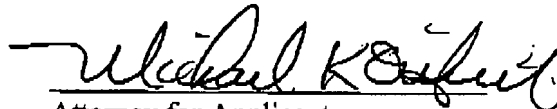
The undersigned confirmed that the Applicant would file a simple Response, to confirm the agreements reached in this series of telephone interviews, and also to satisfy the requirement for a response to the current Office Action. The Examiner conferred with Mr. Burgess, who agreed that the proposed Response would be deemed a complete response to the current Office Action, and would result in issuance of a Supplemental Office Action in which all rejections were non-final.

CONCLUSION

In keeping with agreements reached during these interviews, withdrawal of the outstanding Office Action, and issuance of the Supplemental Office Action, are respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,



Attorney for Applicants
Michael K. O'Neill
Registration No.: 32,622

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

FCHS_WS 1653911v1